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Reuben Brigety

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Reuben Brigety
Dean of the Elliott School of International Affairs of
The George Washington University

Ladies and Gentlemen, good morning. Shannon, George, Marty, other friends, colleagues, it's my great honor to be with you here in the balmy climate of Cleveland, to help start off this amazing conference. Let me also again congratulate you, Shannon, and the Inamori Center for all the work you've done here over the years and for this amazing new facility that you have.

What I'd like to do with my remarks, which I hope we can follow with a robust conversation to get us going, is think through the question of strategic dissent for the military officer and also by extension by others, civilians that may also be involved in the defense and national security enterprise. It has been some time since I've been an active scholar of military ethics. However, in the time that I've been away from scholarship, I've been busy and have lived these issues both as a practitioner in the field in working on not only a series of refugee and policy related issues in Africa, but also a series of working closely with my military colleagues on a series of direct action military matters as well. I bring that sensibility as well to the work that we do at the Elliott School, which I'll talk about at the end of my talk.

I say all that to say that while I have been away from the subject as an active scholar, I continue to be interested, at times even obsessed, with the question of dissent—its role in not only the shaping and conduct of policy, but also its role in a very personal matter, a very personal way for the individual that is often charged with executing, or standing by, or watching some of the most weighty events, not only of national security, but frankly of import for individual human lives. One of the reasons that I find the question of dissent of particular importance in the military context is that, of course, at first look it seemed to be antithetical to the entire military enterprise. Lisa Layman might suggest that that might be the case.

Why might that be the case? Because, again, from not only from the outside, but also from a series of strictures how military life is governed. Obedience and discipline are at the core of the military profession, and not

not simply arbitrarily, but because, of course, discipline, which implies obedience to orders, certainly obedience to legal orders, is necessary in order to break through or control the so-called fog of war and the sorts of chaos that happens in the battlefield. That, therefore, is necessary in order to achieve victory on the battlefield or at sea. That is also necessary in order, as Auschwitz aficionados would recognize, to achieve the political objectives for which one uses force in the first place. If one follows that train of logic, one can assume by the transit of property of ethics that obedience is tied to achieving the political ends for the use of force.

What happens, however, if that theory is wrong or if, on certain occasions, one can actually help achieve the political objectives for which one is actually engaging in the use of force, not by obeying, but by dissenting? There are any number of models, any number of circumstances, any number of real world examples by which one can suggest this actually might be the theory that we ought to be thinking about, at least in certain circumstances, whether it be the very well known, well-publicized examples of My Lai on the one hand and Abu Ghraib on the other. Or whether it be any number of drone strikes that may have led to civilian casualties in environments where one had hoped they were trying to actually cultivate the population to support our political objectives, even as one prosecutes conflict against known or suspected terrorist subjects. Or leave aside the question of these high stakes, high profile uses of force.

What if what we're talking about in certain circumstances is the ability to dissent against an officer or a superior that one knows is taking illegal or unethical action, whether it be accepting a dinner party, or access to prostitutes, or Lady Gaga tickets when a junior officer thinks that might not be the case? Or what if what we're talking about is not on that level of professional personal conduct, but rather broader questions of policy? What role is there for the officer who thinks, "You know, I'm not sure that the intelligence actually suggests that there's weapons of mass destruction in this particular location?" What is one supposed to do?

Of course this is important, not only from these sorts of real world examples, but also frankly from questions of ethical theory, because as those of you who obviously are far more esteemed in the area of professional ethics know, one of the most important questions of ethics is not only how do we know what is ethical, but also the question of agency. In essence, it is almost irrelevant, certainly merely academic if one is simply talking about what the right ethical decision is if the individual actor does

not have the quality of agency to be able to make an informed decision and indeed be able to act on whatever the ethical analysis may be. Herein lies the fundamental rub for the military officer. On the one hand, she is trained to obey orders. She's also trained to assume that the chain of command by which she receives these orders is acting legally, acting ethically, and also acting in support of the national interest.

If that is the default position of the institution, then . . . there are several questions that result from that. The first is, how do you know that that series of assumptions is actually operative, which is to say that the orders that one receives are legal, are ethical, and are in the national interest? Second, let's assume that one can accept the legal analysis. What is the ethical framework by which one is even to interpret even what might essentially otherwise be legal orders? Is it one's own personal religious conviction? Is it what one understands to be the broader ethical frame of one's country? Is it something else, and how does one have access, and how does one be able to adjudicate those sorts of ethical choices?

The third really quite important question is that even if one can identify the right level of analysis, are we talking about battlefield decision? Are we talking about high policy? Are we talking about questions of individual conduct? Even if one can affirmatively understand the normative structures that are available to help adjudicate those questions, whether it be matters of law or ethics, then you get to one series of systemic issues. What systems are in place to be able to actively act on such dissent, or at least to be able to raise such questions? This is actually a crucially important point and it's crucially important if, for no other reason, that there are actually multiple different models that are available, not only in the military, but amongst different militaries and indeed amongst different professions.

Let me give you a couple of examples. As George mentioned, I spent six years in the State Department. One, the US State Department was modeled, the Foreign Service State Department was modeled on the US military, so, although they don't wear uniforms, there is obviously a question of hierarchy. There are ranks that are meant to be expected and it's also based on the general proposition that particularly when you're trying to implement and execute policy halfway around the world, there has to be some level of discipline between what is decided in capitols and what is actually executed on the ground, in that sense, not unlike sending a ship at sea.

Yet, because one's thinking about these questions of policy that can often be complicated, there is, as you may know, a formal dissent channel

within the State Department, through which any diplomat can actually raise questions or concerns about the policy that he is actually meant to actually execute. Not only is there a formal channel for dissent, there is (at least there used to be prior to) in the previous administration, there traditionally has been a formal reward for the best dissent report in the State Department on any given year. Why is that important? Because it shows to the institution what respectful dissent ought to look like, and how it ought to be rewarded, and what the expectations are of the institution for how dissent can actually be valuable to the mission of the institution as a whole.

Let's take another example from medicine, which is another discipline where particularly in the context of surgery or triage, there is hierarchy from physicians, to nurses, to physician assistants, etc., where there is an expectation that a doctor's request for the patient will be followed. In fact, those requests are called orders in the medical environment, and also where there is the assumption that in the operating theater, the surgeon is the highest authority, not only as a matter of law, but because the surgeon has the most in technical experience about the procedure. As a result of a series of challenges with regard to medical mistakes in the United States over the last decade, what is now common practice serving in surgery rooms across the United States, is that everybody in the operating theater is now empowered, whether they are the surgeon, or a nurse, or a surgical tech to stop or raise their hand at any given time to say, "I see something that does not look right," even if they may not happen to be the most senior person in the room.

I raise this to say that, and there are other examples from aviation. There are other examples from oil drilling, particularly in light of the Deepwater Horizon fiasco and others. There are other examples in which one is actually from other disciplines, from other professions, in which one actually recognizes, not only that dissent is not inherently bad, but actually can be vital to achieving the appropriate mission of the institution, and they have enabled systems to be able to do that.

The final question that I have and the final area that I would posit for discussion, is that in addition to levels of analysis, in addition to questions of the moral framework to make decisions, in addition to questions of system, are questions of training and incentives. This is the most difficult part, I would argue, certainly in the military context. How does one simultaneously train a person to charge the hill, to take out the machine gun nest, and to obey the lawful order of those appointed over them and also train them to not only be comfortable with, but indeed the necessity of speaking

up with dissent when they see that something is antithetical to the mission, values, law that govern the organization? I would submit to you that this is the greatest challenge that certainly in the context of multiple military environments that we face. It's a challenge for a variety of reasons.

One, even for the most wise, experienced amongst us, living with those two fundamental tensions in one's head, even in an academic environment, is incredibly challenging. It's even more challenging under the strains of real world operations, when you're really at sea or you're really engaged in combat, and the people against whom you must dissent are also the people on who you must depend for your own life. That's really hard, and yet, don't we all wish that more people had more of a desire to speak up earlier during Abu Ghraib? Don't we all wish that more people had the opportunity to speak up and challenge Lt. Calley earlier, so that My Lai would never have been a stain on the record of the United States in the first place? Don't we all wish that more Lt. Commanders, or Commanders, or Jr. Lieutenants had said something when they saw this contractor in the 7th Fleet doing all kinds of shady things, that have now fundamentally upset an entire generation of Naval officers and put into question frankly our entire position in all of East Asia from a Naval perspective?

I don't know what the answers to these four questions are on a practical basis. As I say, I have to run a school so I don't have as much time to actually sort of think about them myself, but I do know that these are the questions, at least these four, that must dominate our thinking in this area. Accordingly, one of the things—although I don't have time to write about it—one of the great things about being Dean is that you actually have an opportunity to set up programs. One of the things that we have done, two things we've done at the Elliott School (which George said correctly, is the largest school of international affairs in the United States—we have almost 3,200 students) is we have articulated a vision for what we're doing at the Elliott School— this is—that we characterize it as the acronym STEP, S-T-E-P, which stands for achieving elite excellence in scholarship, teaching, ethics, and practice.

The reason we have ethics in our core mission, as I tell all of our students, that international affair students are a special breed of student, because by definition they care about the state of the world and they want to prepare themselves to go off and fight the world's fight. "If you do so," I tell our students, "I can guarantee you, you will face very challenging ethical problems. Thus, it is vital for us, while you are here in our scholarly community, that

we give you the best preparation to know what doing the right thing feels like, and that we also give you, not only the background knowledge, but help to sort of develop your courage to be able to do the right thing when your time of questioning comes."

Accordingly, the second thing we've done is we've established something that we're calling the LEAP Academy, which stands for the Leadership Ethics and Practice Academy, which amongst other things has, as its responsibility, teaching ethics across all of our curricula for our international affair students at the undergraduate and graduate level, creating a series of lecture series and other events to actually show our students what practical, ethical decision-making actually looks like, and the fact that you can actually make ethical decisions and survive. You can actually dissent without having to throw away your career. You can actually stand up and be counted and live to tell the story as opposed to the fears that if one stands up in a variety of different ways, that will be the very last thing that you can do.

We're doing so, as I say, because we think that not only is it important for us to do, but quite frankly we also hope that other similarly placed institutions will also place a similar importance on ethics in international affairs, because we don't see this as a competition. We actually sort of see this as part of the community. All of us are trying to do our very best to train the next generation of young people to go off and fight the world's fight.

Let me conclude my opening remarks before we go into what I hope will be an interesting question and answer session debated amongst ourselves, by reiterating something that George said, and that is that what all of you are doing as scholars and also as practitioners in this space of professional military ethics could not be more vital and could not be more timely. One only has to take a look not only at the series of headlines that are happening politically in all of our countries, but also take a look at the really quite serious security challenges that we're facing in multiple parts of the world, and note that in addition to having the technical expertise to solve them, we also need people that are rooted in questions of fundamentally human dignity and also rooted in what it takes, as Dr. Inamori says, what does it take to be a decent human being and to bring that sensibility to their work?

Thank you very much. I look forward to our questions and more importantly, I wish you all the best for this wonderful conference here in Cleveland. Thank you.

FRENCH: First taker.

BRIGETY: Yes, Dr. . . .

AUDIENCE MALE 1: [inaudible]

BRIGETY: I'm sorry. Before you say it, I actually sort of . . . I've learned something. I now know that in order to be the Editor of the Journal of Professional Military Ethics, your last name needs to be Cook and you need to be either currently or have been employed in the United States Air Force Academy, so I guess I'm doubly out. But please, continue.

AUDIENCE MALE 1: Nice to see you.

BRIGETY: Yes, sir.

AUDIENCE MALE 1: Two quicks. In the U.S. military, starting with the work of Don Snider in the Army about 20 years ago, a lot of the questions were interested in the framework of the question, is military service a profession or are we merely obedient bureaucrats, as Snider would put it?

BRIGETY: Right.

AUDIENCE MALE 1: And a lot of the training that's going on through the organizations in the army to stress the importance of helping people think of themselves as professionals.

BRIGETY: Yes.

AUDIENCE MALE 1: But one of the implications of that is, if you're truly a professional, then there's an internal ethic of things that you will and you won't do.

BRIGETY: Yes.

AUDIENCE MALE 1: There are things you could ask your doctor to do for you that they would simply refuse on the grounds . . .

BRIGETY: That's correct.

AUDIENCE MALE 1: . . . that I can't do that . . .

BRIGETY: That's correct.

AUDIENCE MALE 1: . . . in a way that's consistent with my professional obligation.

BRIGETY: That's correct.

AUDIENCE MALE 1: But they're clearly, the professions that you listed, are more firmly on the professional side and less on the bureaucratic side . . .

BRIGETY: Yes.

AUDIENCE MALE 1: . . . than military service. Any thoughts about how that balance will help us either clarify or muddy the waters?

BRIGETY: Yes.

AUDIENCE MALE 1: Then the second point, an area I've gotten really interested in the last few years, is when military people talk about ethics, they talk usually in Aristotelian terms, in terms of character and integrity, and the ideas that individuals have these characteristics, and if they have them, then they're reliable, and they would be good to go in kind of any environment. But the literature and moral psychology shows that in fact context affects people's behavior . . .

BRIGETY: Yes.

AUDIENCE MALE 1: . . . to almost incredibly counterintuitive ways, and so when you look at something like, oh, Fat Leonard scandal in 7th Fleet, my prediction is what's going to turn out to be true there is we send a few bad people there, but we also had a really bad environment in 7th Fleet.

BRIGETY: Yes. Yes.

AUDIENCE MALE 1: That signaled the people that when you come out here, unless you really want to be the standout, as the newbie you want to fit in.

BRIGETY: Right.

AUDIENCE MALE 1: All military organizations are like that and so whatever the espoused ethic of the organization is, we all know individual units have different ethics based on those environmental factors. You experienced that, I'm sure, within the State Department . . .

BRIGETY: Yes.

AUDIENCE MALE 1: . . . in different subcultures in State. Just those two points. Any reflection about that?

BRIGETY: Sure. I think those are both excellent questions. First on the issue of whether or not the military is a profession or a collection of organized bureaucrats and what the implications of that are, I fall firmly, hardly on the side that it is a profession and must be a profession. Now, I don't think that the fact that it is a profession necessarily, and I'll come back to why I think that in a moment, I don't think that the fact that it's a profession is

necessarily in tension with the law or legal strictures, because all of the other professions that I talked about, for example medicine, right, or the law, the law, that is a profession, I mean, not only are their canons of professional ethics but they're also governed by various state and in some cases federal law, about what they can or can't do, which is part of the reason why you need a license to practice, part of the reason why you can be sued, etc., etc., etc.

The fact that, for example, there is, in the U.S. context and with its analogs elsewhere, the U.S. Uniform Code of Military Justice (UCMJ), which requires certain legal aspects, certainly in regards to obedience, and obedience to orders necessarily, doesn't necessarily mean that there cannot be as well an accompanying, perhaps sometimes even a superseding code of ethics that goes above and beyond what the law in any particular case requires. Let me give you what I think is sort of the nightmare example of this. I'm going to try to state this as apolitically as I can based on what I understand to be some of the discussion.

In light of the rising tensions between the United States and North Korea on the Korean peninsula, with many in the foreign policy community, particularly in that horrid bastion of elitist sort of people that get it wrong, the Council on Foreign Relations, there is serious, has been serious concern that we have been at the closest possibility of a real world nuclear exchange since the Cuban Missile Crisis. As a result of this, there have been a number of rumors, none of which I have seen corroborated, but, which I have seen reported multiple times in what I would consider to be credible news outlets and also very real discussion as of matters of law about who has the authority to actually launch American nuclear weapons and does the President of the United States have sole authority to be able to do that.

As those who, particularly that I see at least one submariner in the audience, we know that America's nuclear deterrent was built for maximum efficiency and response time and less to create multiple redundancies for reflection at the highest levels. There are redundancies at the tactical level, dual key, whatever, but certainly at the highest level, the national command authority, one can reasonably ask, for senior military officers or senior civilians that are closest to the President and are part of the NCA, is there a professional military ethic of dissent or disobedience that could reasonably be called for in an environment where it is unclear that the launch of a nuclear weapon, particularly given the politics around that, is in the best interest of the country?

Now, that is not simply my assertion. As we know, this has actually been really quite actively sort of debated. But there are any number of other sort of further examples further down the line. I would, for example, refer you

to, you know, one of our scholar at the Elliott School is a scholar named Hugh Gusterson. Many of you may know his work. He wrote this book last year called *Drone*, which talks about some of the ethics of use of remote vehicles or whatnot, and then I think that presents a whole other series of questions, so I fall firmly on the question that it must be a profession, that the nature of profession actually helps psychologically the individual military member, and that frankly we would actually do better, not only to embrace it as a profession, but actually not only as medicine and law has done, but actually do an awful lot more to tease out what that means, in particular as it relates to matters of dissent and what those lines of ethical beyond simply obeying lawful orders, what are the lines of appropriate conduct.

Which then gets to the second question. I also firmly believe that in addition to whatever anyone's individual predilections may be, context matters greatly. I absolutely believe that. I also believe, frankly, that in most cases most people are capable of most things, given the right or wrong set of circumstances. Our institutions assume that, which is not only why we sort of focus so much on the rule of law, but also why we spend so much time on training ethics. It's why we go to houses of worship regularly, because it's not the assumption that, for example, I'm a Christian, I would never say, "Yeah, I went to Sunday School once back in 1987. I'm good. I got it. Thank you very much," right? I mean, you sort of continue to exercise that ethical framework a great deal at an individual level, but it's also why it's crucially important for individual leaders and also for institutions to create that enabling environment.

If I may, I know we're live streaming, so I'm going to be very careful about how I say this next piece. The Fat Leonard scandal has, as I mentioned, sucked up an entire generation, maybe even two generations of naval officers, two of which I happen to know. They were both in my company when I was a Midshipmen in the Naval Academy. One happened to be a classmate of mine. The other happened to be a First Class Midshipman at Senior. One of whom, would have been the last person in the world I ever would have expected to be sucked into this environment literally.

As a matter of record, I have no independent knowledge of what I'm about say, but what I suspect could have happened is that this person, because of what I knew about him and also what I knew about his past conduct, probably tried to do the right thing initially, and then as a result of the total environment, as a result of what was happening amongst his superiors and seniors, eventually as, because we know what Fat Leonard's MO was, you know it got brought in a little bit closer, a little bit closer, and a little bit closer, and then decides, "Well,

am I really going to be the sucker who's going to try to be the Boy Scout when clearly everybody knows that this is how business is done out here?"

One of the things I wonder is, how did the system fail somebody like that? In addition to whatever his own clear personal feelings were, why do we have a . . . What was happening such that so many other people who otherwise had very distinguished careers, then went to all the appropriate accession sources. They had all the mandatory ethical training. They'd all took their kids to synagogue, or a temple, or whatever on Sundays or Fridays, whatever. How did so many people get this so wrong over such a long period of time? I have to think that part of it is that we somehow failed systemically to create strictures where junior people at sea in very challenging environments far away from the flagpole were sufficiently empowered to be able to challenge what is clearly wrong behavior. Had we been able to shift that and created better strictures, it would have saved everybody an awful lot of heartache.

I actually have a rule when I do teaching and that rule is I insist on gender parity in questions, so I go gentlemen, ladies, gentlemen, ladies, so I'm going to open the floor to ladies first, and then we'll go back to another gentlemen. You're promised you'll be next. Ladies, is there a question? Yes Ma'am?

AUDIENCE FEMALE 1: Hi. My name is Lisa.

BRIGETY: We need you to wait for the microphone.

AUDIENCE FEMALE 1: Hi. My name is Lisa. I'm a military ethics MA student here at Case Western. My question had to do with what you were talking about with training and having people able to be able to dissent.

BRIGETY: Yes.

AUDIENCE FEMALE 1: One of the things that I was looking at in research was the lack of ethical training for enlisted members. This is just kind of my opinion, but it looks like, from what I've seen, there's a little bit of a bias against just regular enlisted members, thinking maybe they can't handle it. It's too much for them in terms of scholarship. How would you kind of recommend tying those two things together . . .

BRIGETY:: Yeah.

AUDIENCE FEMALE 1: . . . so that you have enlisted members who have an ethical framework to work with to be able to know when they can dissent and then also to be able to have this system in place for them to dissent in what's a respectful and a useful way?

BRIGETY: Right. That's a great question, because it begs questions of sociology, begs questions of ethics, begs questions of the law. Let me just try to address it a little bit. Again, I can't claim any authority, maybe not even familiarity with what happens in our military from sister countries, but in the US military, for example in the US Marine Core the oaths that are taken by officers and enlisted people are different. As you know, the oath for an officer, "I solemnly swear to support and defend the Constitution of the United States, yada, yada, yada, so help me God." For a…Sorry, you know I get into it. I meant every word of it. For an enlisted person the oath includes, "And I promise to obey the lawful orders of those appointed over me." That part of the oath does not exist in the officer oath. It's written into what we expect of them.

I think and this is where I think kind of, a sociological aspect comes in, because, of course traditionally over centuries the officer core was drawn from a more highly educated elite social class while the enlisted ranks across services were drawn from lower socioeconomic classes. While some of that still exists, certainly in the American context, not only do we have the most highly educated military we have ever had at both the enlisted and officer levels, we also are operating environments increasingly, whereas, you know General Chuck Krulak is famous for coining the phrase, "The strategic corporal," right? The notion that even an enlisted person who's standing at checkpoint, or guarding a prison, or manning a launch site, or anything else can be placed in the position where their choices can actually have strategic consequences. If that is the case, I completely agree with you that we ought to be thinking about the questions of dissent, not only for officers, but also for enlisted people, even understanding that still the nature of their oaths, and the scopes of their presumed responsibility in the normal course of their duties are different.

Now, one of the other things I think it's important to note, and certainly in the context of a series of unfortunate training accidents going back a decade-and-a-half, we now at least have the, in training environment bootcamps and A schools, and things of that nature, have the concept of a training timeout, right? You know, so I, Private Schmotz, feel like I'm about to have a heart attack when we're on this run. "Call a training timeout." It's technically possible, but you better be right. But again this goes back to all the other sorts of things that we talked about before, that even if the presumption is obedience, that it's also important to train on dissent, to train and practice it, so that members of the military and civilians who work with them as well know,

like increasingly we do in the State Department, what appropriate dissent looks like, what appropriate dissent feels like, and also how one can dissent as a way of actually protecting both the mission and the institution itself.

Yes Sir?

AUDIENCE MALE 2: Well, I'm [inaudible] Fellow at the Stockdale Center at Naval Academy this year.

BRIGETY: Go Navy! Beat Army!

AUDIENCE MALE 2: Indeed.

BRIGETY: Next year.

AUDIENCE MALE 2: I wanted to address the three assumptions that you mentioned.

BRIGETY: Sure.

AUDIENCE MALE 2: In terms of the norm of obedience.

BRIGETY: Right.

AUDIENCE MALE 2: Those seem to be the grounds of what you consider to be appropriate dissent. The first being legality. The second being compliance with an ethical code. The third being that the order's in the national interest. While I understand the first two, and we've spoken to them a little bit, the third seems to be particularly problematic.

BRIGETY: Yes.

AUDIENCE MALE 2: One that's not shared by necessarily many scholars of civil-military relations or others. Peter Fever, for example, would speak of the civilian's right to be wrong. I guess my question is, in the national interest as judged by whom . . .

BRIGETY: Yes.

AUDIENCE MALE 2: Because indeed when a military starts to have the ability to independently assess what's in the national interest, there's certainly a very well-respected school of thoughts that suggest that that short circuit self-determination and meaningful democratic participation, and so how is it that you would address that? It also raises the question then of obedience, not purely in the practical mode that you discussed . . .

BRIGETY: Right.

AUDIENCE MALE 2: . . . in terms of the necessity to execute policy . . .

BRIGETY: Right. Right.

AUDIENCE MALE 2: But also as a duty…

BRIGETY: Yes.

AUDIENCE MALE 2: …in which it takes an ethical value.

BRIGETY: Yes.

AUDIENCE MALE 2: I was wondering if you could speak to those.

BRIGETY: It's a great, great question and a very hard one. Let me give you a couple of reasonable examples. On the one hand of the argument is, you know, what you've suggested is Peter Fever's approach, which obviously has a great deal of merit, which is, if we…and let's posit that we're talking in American context and those that are similarly situated. If we live in a democracy, the people's will must be respected and civilian control of the military means that the military has to obey the policy direction of the elected government of the day even if one can reasonably debate the merits of the position that the government has taken.

Let me kind of…two very real world examples that have caused me to reflect about, at least that'll show why that is problematic. We are in the year 2017 and we still have forces in the field that are actively engaged in combat all over the world in a context of an authorization of use in military force that was authorized in 2001 for a very specific threat against Al Qaeda in Afghanistan, and then, which was subsequently spread to Iraq. It has spread more, and more, and more, and gotten thinner, and thinner, and thinner as we've gone along to the point where there have been at least some military officers who have taken to a greater or lesser extent, asked the question, "Do we still even have legally the authority to continue to actually sort of wage war on an increasingly sort of reed thin, you know, authorization and what is my responsibility as somebody who has sworn to uphold and defend, not the government of the day, but the Constitution of the United States to continue to wage war in what might otherwise be a questionable environment?"

Now, and that applies to, not only to sort of like kind of big, kind of macro question whether or not we're going to deploy, but whether or not we have eyes on this particular target of this particular bad person in this particular country on these two dates and we have these assets that could launch these weapons in this environment—and oh, by the way, if we do, we think we're actually going to have, you know, these sets of civilian casualties, right? I mean, these are actually sort of real, sort of, you know, fair questions.

I'll give you another example, a very recent one. I've spent more and more of my time in the last decade now working on Africa. One of the interesting things that has happened in US engagement with Africa in the last decade is the creation of the US-Africa Command, which is now ten years old this year. One of the things that those officers and enlisted people do is a series of military engagements all across Africa to strengthen indigenous African militaries, build strategic partnerships, etc. As you may know, the President of the United States recently expressed his view about the entirety of the continent of Africa. It was not favorable.

If you are a major who has to go lead a training detachment in Senegal or Mali and amongst the things you're doing, you know, as the end of the exercise, you have a local reporter who stands up, puts a microphone in your face and says, "So, Major Schmotz, we understand your Commander in Chief said this about Africa. Do you agree with your Commander in Chief about his assertion about all of our military?" How are you supposed to adjudicate that particular, in addition to like the jujitsu of how do you think through, you know, media training that maybe you did or didn't get before you left Stuttgart, right? I mean, how are you supposed to actively continue to develop a partnership when the Commander in Chief has laid out, frankly a very sort of different view of who your strategic partners ought to be and why?

I can credibly make the case that while I understand the general argument that questions of what is in the best national security interests of the country ought to be beyond the purview of making ethical decisions, particularly when it relates to potential dissent. I can also see, from real world examples, why frankly they ought to be, precisely because one can foresee the environment. This is why we're having the whole conversation of dissent. One can foresee the situation in which the civilian masters or the civilian leadership who, in the analysis I laid out, are presumed to be operating in a legal and ethical way, aren't. Thus, one could also make therefore the argument that perhaps the most important ethical decision that somebody could do at some other point down the chain is at minimum, flag the dissent and perhaps even sort of act on it. That's why these are really hard questions. Ladies?

FRENCH: We have time for one more.

BRIGETY: One more. Yes Ma'am?

AUDIENCE FEMALE 2: Obedience is vital…

BRIGETY: I'm sorry, your name, please, and your [crosstalk]…

AUDIENCE FEMALE 2: Oh, I'm sorry. Nikki Coleman. I'm from the Royal Australian Air Force. Go Air Force! Beat Navy!

BRIGETY: Maybe that works down under, but we have a different way here.

AUDIENCE FEMALE 2: No, no. I've lived at Annapolis. I understand. Obedience is vital to military culture.

BRIGETY: Yes.

AUDIENCE FEMALE 2: It's a profession unique, and I use that very selectively, compared to any other professional organization or job in regards to obedience and having to obey orders. It's the only profession where you can go to jail for disobeying a legal order.

BRIGETY: Correct.

AUDIENCE FEMALE 2: It's vital to military culture. In Australia, we have value statements for the Army, Navy, Air Force, for all of the overarching defense. We also have one for the Defense Force Academy and we have value statements for various different brigades and so on. None of those mention obedience at all, so I don't know how that is internationally. I'd like to hear if your militaries have them internationally. It begs the question, we want dissent obviously, because we don't want another My Lai, or Fat Leonard, or Abu Ghraib. But are we ready to actually encourage dissent if we can't put obedience . . . If we can't even talk about obedience . . .

BRIGETY: Yes.

AUDIENCE FEMALE 2: How do we then authentically talk about dissent?

BRIGETY: Right. That's why you are scholars and that's what your job is to do. I don't mean that to be too flippant. As much as to say that, you know, sometimes it is not unique to the military. Organizations often sometimes have the most difficulty in transforming themselves and asking sort of really difficult questions. Sometimes it takes people that are actually sort of enabled and can take some, not only by their position, if they're a tenured professor or whatnot, but also by virtue of being close enough to the organization, but not of it, in it but not of it, to be able to ask these hard questions. What is clear to me is that the normal, traditional, centuries old framework of obedience being the stop, start, end of military life is no longer valuable completely unchallengeable in a current strategic environment. Thus, one has to grapple with these hard questions of what does appropriate

dissent look like and how do we talk about it? I don't know what the right answer is, but I certainly do know that, that is the appropriate question. I look forward to seeing additional scholarships and debates in that regard.

BRIGETY: Thank you so much for having me. I wish to give you my best wishes for a great conference. Thank you.

FRENCH: We'd like to thank you again.

BRIGETY: Thank you so much. Thank you.

FRENCH: Got a little gift for you.

BRIGETY: Thank you.

FRENCH: Thank you for launching us so well with so many excellent questions and insights from your own life experience. We are very grateful. I also appreciate hearing about the exciting programs and efforts at the Elliott School and we definitely agree that it shouldn't be a competition. We want many such programs and many things blooming all over, so that we can get in the kind of position to challenge and ask the questions that need to be asked. As you just clarified, sometimes we are the only ones who can do that, so we have to take that role very seriously.